

From: Andy Baldwin
To: 'microsoft.atr(a)usdoj.gov'
Date: 12/31/01 6:06pm
Subject: Microsoft Settlement

To Whom it may concern:

As an IT professional I would like to cast my \$.02 worth on the Microsoft Anti-trust settlement.

First and foremost I have always been of the opinion that the lawsuit should never have been brought in the first place. The reasons are numerous but the best way I have been able to voice my view is by means of an analogy.

If I were a headlight manufacture and I as a businessman signed a contract with my clients to provide an alternate headlight to the standard headlight deployed on a Chevrolet car and I was making money doing so I would be set for a long time financially. Then one year Chevrolet changes their body style (without consulting me first of course) and my headlights no longer work without the clients doing some modifications to their cars then what is my course of action?

In the case of Netscape they sued to make Microsoft change their product to more easily accept Netscape software. This is much like me in the above analogy suing Chevrolet to change their new car model to accept my old headlights. What should happen is that I as a business man should adapt my product to work with the new model OR start manufacturing a car of my own that comes with my headlights standard. Netscape could do the same..... If your product is harder to install or does not function properly with the new versions of Windows then create an OS of your own and try to buy into the market, not use taxpayer money to have the government order a private business to change and accept a product that was created and modified and relies on certain things in Windows to work. Netscape has modified their software to run under Linux, Unix, Mac OS and you do not hear them gripe when Mac changes their OS and software needs updating.

I would love to see yet another OS on the market that can perform and is supported like Windows. Personally we have tried to use things like Linux but found that the OS is harder to use for end users and much more difficult to maintain. We have elected not to use it for these reasons. The point here is that we made a financial decision to not use an ALMOST free OS because it does not perform at the same level as Windows.

You always hear about the patches and fixes being release for MS software. MMMMMReadhat has release at least 3 version this last year and a multitude of security and bug fixes along side these versions.

If you want to write software that relies on a 3rd party OS or 3rd party software and that manufacture changes something that disables your tool then you have a choice. Change your product to work or STOP RELYING ON THE 3RD PARTY ALL TOGETHER!

Why is Microsoft at the top of the food chain? In my opinion it is because the founders had a dream, a goal, and did what it took to accomplish that goal. Mind you this was done in a time when your average Joe Person had no idea what a computer was. When this turned into a windfall of financial rewards, those who did not latch on to the possibilities cry foul and ask the government to step in and give them a piece of the pie that they were not fore-thoughtful enough to cut into in the beginning.

If this lawsuit goes on then I plan on asking the government to step in on my behalf. A decade ago a company called Wal-Mart went public. I did not think it would amount to much so I did not buy stock in the company. Now I think I am entitled to the profits that I COULD have reaped had I invested. Is the government going to use taxpayer money to help me recover my "LOSS"? I don't think so. Neither should the government be stepping in to help companies that did not perform when they should have been to recover their so called "LOSSES".

To sum up the reason for this email I would like to encourage DOJ to accept the courts rulings, and most of all put this lawsuit to rest for good. In other words ACCEPT IT and MOVE ON. This goes for the 9 greedy states that are standouts from accepting the offer for whatever reason they stated. Think of the possibilities that all the funds (taxpayer money) used in the frivolous pursuit of Microsoft could have been used for. All the real DOJ interest such as home law enforcement, national safety, public safety, and other endeavors. For instance think about how quickly things like the Ford / Firestone problem could have been identified if DOJ had gone after them instead of private individuals who finally got the Transportation Safety Administration involved.

Think about the possibility of a much lower crime rate if that money had been used by state and local law enforcement. Think about the backlog of cases that could have been prosecuted in the last 4-5 years.

After all this I would once again as a voter and a taxpayer HIGHLY ENCOURAGE you to accept the Court findings (including the 9 stand out states) and move on to more important endeavors.

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